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10/07/2008

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P.O. BOX 10395
CHICAGO, IL 60610

EXAMINER

ULRICH, NICHOLAS S

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 10/07/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,513	04/19/2004	Christopher T. Szeto	12729/88 (Y00302US00)	4296

TITLE OF INVENTION: TECHNIQUES FOR SIMULTANEOUSLY DISPLAYING A BACKGROUND PAGE AND AN INTERACTIVE CONTENT
PAGE IN AN APPLICATION WINDOW

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	01/07/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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56201 7590 10/07/2008

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Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE; address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/28,513 04/19/2004

Christopher T. Szeto

12729/88 (Y00302US00)

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TITLE OF INVENTION: TECHNIQUES FOR SIMULTANEOUSLY DISPLAYING A BACKGROUND PAGE AND AN INTERACTIVE CONTENT PAGE IN AN APPLICATION WINDOW

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	01/07/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
ULRICH, NICHOLAS S	2173	715-752000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 568 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 568 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/828,513

Examiner

NICHOLAS S. ULRICH

Applicant(s)

SZETO, CHRISTOPHER T.

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendments filed 6/17/2008.
2. ☒ The allowed claim(s) is/are 1,2,4-9,11,12,14-18,20 and 22-31.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Tadesse Hailu/
Primary Examiner, Art Unit 2173

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Dreznes on 9/26/2008.

The application has been amended as follows:

Claim 1:

1. A method for displaying multiple pages in an instant messenger application, the method comprising:

displaying simultaneously a first page and a second page in the instant messenger window;

wherein the first page is a friends list page that displays a set of users that send and receive a plurality of instant messages within an instant messaging community and the second page is a interactive content page with a set of tabs for retrieving content from the internet;

allowing a user in the set of users to change the size of the interactive content page, wherein the interactive content page has a minimum height and a maximum height;

preventing a user in the set of users from hiding all of the friends list page from view in the instant messenger window by maintaining a pre-programmed minimum height for the friends list page within the instant messenger window; and

sending a message from a first instant messenger user to a second instant messenger user in the friends list in response to the first instant messenger user selecting content in the interactive content page, wherein the message relates to the selected content.

Claim 3:

3. cancelled.

Claim 4:

4. The method as defined in claim 1, wherein retrieving content from the internet further comprises automatically refreshing the content.

Claim 5:

5. The method as defined in claim 1, wherein displaying simultaneously a first page and a second page in the instant messenger window further comprises displaying within the interactive content page the content of a first tab in the set of tabs when the user in the set of users selects the first tab in the set of tabs.

Claim 6:

6. The method as defined in claim 5 further comprising:

displaying within the interactive content page the content of a second tab in the set of tabs when the user in the set of users selects a second tab in the set of tabs, the second tab being displayed at the same time that at least a portion of the friends list page is also displayed in the instant messenger window.

Claim 7:

7. The method as defined in claim 6 further comprising:

hiding the content of the first tab when the content of the second tab is displayed within the interactive content page.

Claim 8:

8. The method as defined in claim 7, wherein the content of the second tab overlaps the content of the first tab in the interactive content page.

Claim 9:

9. The method as defined in claim 1 further comprising:

minimizing the interactive content page in response to a user request so that the content is not visible in the instant messenger window.

Claim 10:

10. cancelled

Claim 11:

11. A computer program product stored on a computer readable medium that simultaneously displays multiple pages in one window, the computer program product comprising:

code for displaying simultaneously a first page and a second page in the instant messenger window;

wherein the first page is a friends list page that displays a set of users that send and receive a plurality of instant messages within an instant messaging community and the second page is a interactive content page with a set of tabs for retrieving content from the internet;

code for displaying within the interactive content page the content of a first tab when a user in the set of users selects a first tab in the set of tabs;

code for allowing a user in the set of users to change the size of the interactive content page, wherein the interactive content page has a minimum height and a maximum height;

code for preventing a user in the set of users from hiding all of the friends list page from view in the instant messenger window by maintaining a pre-programmed minimum height for the friends list page within the instant messenger window; and

code for sending a message from a first instant messenger user to a second instant messenger user in the friends list in response to the first instant messenger user

selecting content in the interactive content page, wherein the message relates to the selected content.

Claim 13:

13. cancelled

Claim 14:

14. The computer program product according to claim 11, wherein retrieving content from the internet further comprises automatically refreshing the content.

Claim 15:

15. The computer program product according to claim 11 further comprising:
code for displaying within the interactive content page the content of a second tab in the set of tabs when the user in the set of users selects a second tab in the set of tabs, the second tab being displayed at the same time that at least a portion of the friends list page is also displayed in the instant messenger window.

Claim 16:

16. The computer program product according to claim 15, wherein the content of the second tab overlaps the content of the first tab in the interactive content page.

Claim 17:

17. The computer program product according to claim 16 further comprising:
code for hiding the content of the first tab when the content of the second tab is displayed within the interactive content page.

Claim 18:

18. The computer program product according to claim 11 further comprising:
code for minimizing the interactive content page in response to a user request so that the content is not visible in the instant messenger window.

Claim 19:

19. cancelled

Claim 20:

20. The method as defined in claim 1 further comprising:
resizing the friends list page when the interactive content page is resized, wherein a size of the friends list page changes inversely proportionate to the size of the interactive content page.

Claim 22:

22. The method of claim 1, wherein the set of tabs comprises a persistent tab.

Claim 23:

23. The method of claim 1, wherein the set of tabs comprises a trusted tab.

Claim 24:

24. The method of claim 5, wherein the first tab comprises a tab image that is displayed in the instant messenger window.

Claim 25:

25. The method of claim 6, wherein the first tab and the second tab are ordered in the set of tabs based on a frequency of usage.

Claim 26:

26. The method of claim 1, wherein selecting content in the interactive content page further comprises dragging the content from the interactive content page to the second instant messenger user listed in the friends list page.

Add the following claims:

Claim 27:

27. The method of claim 1, wherein sending a message from a first instant messenger user to a second instant messenger user in response to the first instant messenger user selecting content in the interactive content page further comprises:
including the selected content in the message.

Claim 28:

28. The method of claim 11, wherein code for sending a message from a first instant messenger user to a second instant messenger user in response to the first instant messenger user selecting content in the interactive content page further comprises:
including the selected content in the message.

Claim 29:

29. The method of claim 11, wherein the first tab comprises a tab image that is displayed in the instant messenger window.

Claim 30:

30. The method of claim 15, wherein the first tab and the second tab are ordered in the set of tabs based on a frequency of usage.

Claim 31:

31. The method of claim 11, wherein selecting content in the interactive content page further comprises dragging the content from the interactive content page to the second instant messenger user listed in the friends list page.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: All pending claims 1, 2, 4, 5-9, 11, 12, 14-18, 20, and 22-31 have been carefully considered by the

examiner. The claims are directed towards a method and computer program product for simultaneously displaying a first page and a second page in an instant messenger application window.

Independent claims 1 and 11 recite "displaying simultaneously a first page and a second page in the instant messenger window; wherein the first page is a friends list page that displays a set of users that send and receive a plurality of instant messages within an instant messaging community and the second page is a interactive content page with a set of tabs for retrieving content from the internet", "preventing a user in the set of users from hiding all of the friends list page from view in the instant messenger window by maintaining a pre-programmed minimum height for the friends list page within the instant messenger window", and "sending a message from a first instant messenger user to a second instant messenger user in the friends list in response to the first instant messenger user selecting content in the interactive content page, wherein the message relates to the selected content".

A prior art of record, Becker et al. (US 6981223 B2), teaches an instant messenger application that simultaneously displays a first page and a second page in an instant messenger application. Becker further teaches a set of tabs in the second page. However, the set of tabs in Becker relate to different instant message sessions between users and does not disclose that the set of tabs displays information from the internet. There is no motivation in the prior art to modify Becker in order to teach a set of tabs for retrieving content from the internet. Becker also fails to disclose preventing the user from hiding the friend list page from view.

A prior art of record, Southgate (US 5487143), teaches a method for assigning minimum and maximum sizes to windows in order to prevent them from shrinking to a size undesirable for view by a user. However, the combination of Becker and Southgate would still not teach all the limitations of the independent claims.

A prior art of record, Werndorfer et al. (US 7275215 B2), teaches an instant messenger application that has plugins included within the instant messenger window for retrieving content from the internet. Werndorfer however does not teach displaying the plugins through a set of tabs in an interactive content page. Also, Werndorfer fails to disclose preventing a user from hiding the friend list page. The combination of Becker and Werndorfer, or Becker, Werndorfer, and Southgate still would not teach all the limitation of the independent claims. Further there is no motivation to combine the three references in order to arrive and the presently claims invention.

A prior art of record, Dobronsky (US 7159192 B2), teaches a system of selecting content received from the internet for inclusion in a message. Dobronsky fails to teach all other limitation of the independent claims. The combination of Dobronsky with other prior art of record would not teach all the limitations of the independent claims.

Therefore, because the prior art alone or in combination fails to teach all the limitation of the independent claims, claims 1, 2, 4, 5-9, 11, 12, 14-18, 20, and 22-31 are allowed.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NICHOLAS S. ULRICH whose telephone number is (571)270-1397. The examiner can normally be reached on M-TH 9:00 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571)272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tadesse Hailu/
Primary Examiner, Art Unit 2173

Nicholas Ulrich
9/26/2008

Art Unit: 2173

2173